

VIRGINIA:

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA**

**Cristina Campos
3246 Southhampton Drive
Jeffersonton, Virginia 22724,**

Plaintiff,

v.

Case No: 3:22-cv-00059

**Nathan Chrisholm Lesicka
4941 Idlewood Road AA
Shady Side, Maryland 20764**

and

**United States Department of
Homeland Security
Alejandro Mayorkas
United States Secretary of
Homeland Security
2707 Martin Luther King, Jr., Avenue,
S.E.
Washington, D.C. 20528-0525**

and

**United States Secret Service
Kimberly Cheatle
950 H. Street, N.W.
Suite 7800
Washington, D.C. 20223**

And

**United States of America
Merrick Garland
United States Attorney General
US Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001**

Defendants

**ORIGINAL COMPLAINT FOR DAMAGES UNDER FEDERAL
TORT CLAIMS ACT FOR NEGLIGENCE**

COMES NOW the plaintiff, Cristina Campos, by herself and counsel and moves this Honorable Court for judgment against the defendants, Nathan Chrisholm Lesicka, United States Department of Homeland Security, United States Secret Service and United States of America, jointly and severally, and in support thereof respectfully states the following:

JURISDICTION, VENUE AND CONDITIONS PRECEDENT

A. On October 20, 2020, the plaintiff lived at 3246 Southhampton Drive, Jeffersonton, Virginia 22724.

B. The claims herein are brought against defendants, Nathan Chrisholm Lesicka, United States Department of Homeland Security, United States Secret Service and the United States of America, pursuant to the Federal Tort Claims Act (28 U.S.C. §2671, *et seq.*) and 28 USC §§1346 (b)(1), for money damages as compensation for personal injuries that were caused by the careless, negligent and reckless acts and omissions of Nathan Chrisholm Lesicka acting as an agent, contractor, employee, representative and servant of the United States Department of Homeland Security, United States Secret Service and the United States Government while acting within the scope of his offices and employment, under circumstances where the United States Department of Homeland Security, United State Secret Service and the United States of America, if a private person, would be liable to the plaintiff in accordance with the Federal Tort Claims Act and the laws of the Commonwealth of Virginia.

C. Venue is proper in that all, or a substantial part, of the acts and omissions

forming the basis of these claims occurred in the Western District of Virginia, and arose from the filing of a personal injury action against defendants, United States Department of Homeland Security, United States Secret Service and United States of America and their agent, contractor, employee, representative and servant, Nathan Chrisholm Lesicka.

D. Plaintiff has fully complied with provisions of 28 U.S.C. §2675 of the Federal Tort Claims Acts.

E. This suit has been timely filed and plaintiff timely served notice of her claims on defendants, United States Department of Homeland Security, United States Secret Service and United States of America on November 2, 2020. The defendants United States Department of Homeland Security, United States Secret Service and United States of America issued their final administrative action on April 24, 2022, and required the plaintiff to file her Complaint on or before October 24, 2022.

COUNT I

NEGLIGENCE OF DEFENDANT NATHAN LESICKA

1. On October 20, 2020, the plaintiff, Cristina Campos, was slowing down her 2016 Nissan Versa to make a left hand turn from Brandy Road, in Culpeper County, Virginia.

2. At the same time and place pleaded, defendant Nathan Chrisholm Lesicka was operating a 2019 Chevy Suburban owned by Department of Homeland Security, United States Secret Service and the United States of America.

3. Defendant Nathan Chrisholm Lesicka was operating his vehicle directly behind the plaintiff's vehicle, and, thereafter, the defendant crashed the vehicle he was driving into the rear end of the plaintiff's vehicle.

4. At the same time and place, defendant Nathan Chrisholm Lesicka was under a legal duty to operate the vehicle in a safe and prudent manner under the conditions then and there existing; to pay full time and attention to his driving; to keep a proper lookout; to keep his vehicle under proper control; to drive at a safe speed given the circumstances; to timely apply his vehicle's braking mechanisms; to keep a proper stopping distance between vehicles; to obey traffic laws, regulations and rules and to avoid crashing into the rear end of the plaintiff's vehicle.

5. In breach of said legal duties defendant, Nathan Chrisholm Lesicka, did operate the motor vehicle in a careless, negligent and reckless manner in that he failed to pay full time and attention to his driving; failed to keep a proper lookout; failed to keep his vehicle under proper control; failed to drive at a safe speed given the then and there existing circumstances; failed to timely apply the braking mechanism of the vehicle, failed to keep a proper stopping distance between vehicles; and failed to obey the traffic laws, regulations and rules when he crashed into the rear end of the plaintiff's vehicle.

6. As a direct and proximate cause of the aforesaid careless, negligent and reckless driving behavior of the defendant Nathan Chrisholm Lesicka, the plaintiff was caused injuries, has incurred medical bills, has suffered physical and mental pain, emotional distress, and inconvenience. Moreover, it is expected that the plaintiff may require medical treatment and incur medical expenses in the future, and suffer ongoing emotional distress, inconvenience, discomfort and pain for her injuries which she claims are permanent.

COUNT II

NEGLIGENCE OF DEFENDANTS, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES SECRET SERVICE AND UNITED STATES OF AMERICA

7. All of the preceding paragraphs are hereby incorporated herein, as if set forth herein above, and herein below.

8. Defendants United States Department of Homeland Security, United States Secret Service and United States of America, are also responsible for the car crash and the plaintiff's injuries, pursuant to the Federal Tort Claims Act (28 U.S.C. §2671, et. seq.) and doctrines of agency, negligent entrustment, respondeat superior, and vicarious liability. Moreover, a presumption of negligence arises against the owners of the vehicle involved in the car crash.

9. At all relevant times on October 20, 2020, defendant Nathan Chrisholm Lesicka, was acting as the agent, contractor, employee, representative and servant of the United States Department of Homeland Security, United States Secret Service and United States of America, while he was driving the vehicle owned by said defendants, and when he carelessly, negligently and recklessly crashed into the rear end of the plaintiff, Cristina Campos' vehicle.

10. As a direct and proximate cause of the aforesaid careless, negligent and reckless driving behavior of the defendant Nathan C. Lesicka, while acting as the agent, contractor, employee, representative, and servant of the United States Department of Homeland Security, United States Secret Service and the United States of America, the plaintiff was caused injuries, has incurred medical bills, has suffered physical and mental pain, emotional distress, and inconvenience. Moreover, it is expected that the

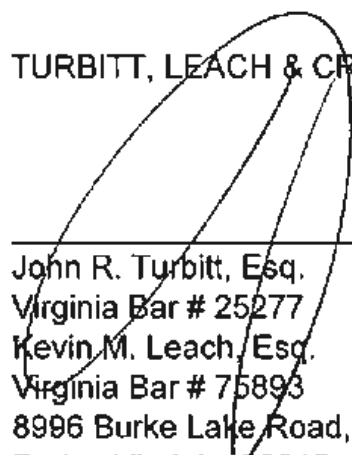
plaintiff will require medical treatment and incur medical expenses in the future, and suffer ongoing emotional distress, inconvenience, discomfort and pain for her injuries which she claims are permanent.

WHEREFORE, the Plaintiff prays for a civil jury trial and judgment against the defendant Nathan Chrisholm Lesicka, United States Department of Homeland Security, United States Secret Service and United States of America, jointly and severally, in the sum of \$1,000,000.00 her costs expended as a result of the car wreck, interest from the date of the car crash, October 20, 2020, and such other relief this Honorable Court deems just and proper in this matter.


TRIAL BY JURY IS DEMANDED.

Cristina Campos
By Counsel

TURBITT, LEACH & CRUM, PLLC



John R. Turbitt, Esq.
Virginia Bar # 25277
Kevin M. Leach, Esq.
Virginia Bar # 75893
8996 Burke Lake Road, Suite 304
Burke, Virginia 22015
(703) 323-7000; (703) 323-7224 FAX
johntrubitt@tlc.law
Counsel for Plaintiff



Cristina Campos
3246 Southhampton Drive
Jeffersonton, Virginia 22724